

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NADIA ALQUAHWAGI, on behalf of herself
and as Personal Representative for the Estate
of Mohammad Khairi,

Plaintiff,

v.

Case No. 14-13691

SHELBY ENTERPRISES, INC., a Michigan
Corporation, and THE PRUDENTIAL
INSURANCE COMPANY OF AMERICA, a New
Jersey Corporation,

Defendants.

**ORDER IDENTIFYING THIS CASE AS AN EXTENSION OF CASE NO. 11-14826 AND
GRANTING PLAINTIFF THE RIGHT TO FILE AN AMENDED COMPLAINT**

The court held a telephonic status conference with the parties on March 26, 2015, off of the record, at which the parties and the court discussed the procedural history of the case. The court notes that the instant case is substantially the same as *Alquahwagi v. Shelby Enterprises, Inc.*, No. 11-14826 (Rosen, C.J.). Chief Judge Rosen remanded Case Number 11-14826 to the Plan Administrator, administratively closed the case without a determination of the merits, and stated that Plaintiff could re-open the case after she fully exhausted her administrative remedies. The administrative remedies appear to have been exhausted in the instant case, and Chief Judge Rosen issued an order disqualifying himself from the instant case on October 28, 2014. (Dkt. # 5, Pg. ID 22.) The court, therefore, will deem the instant case as an extension of Case Number 11-14826 and takes notice of the original case's docket. Additionally, the court

will allow Plaintiff to file an amended complaint no later than April 10, 2015.

Accordingly,

IT IS ORDERED that the court will treat this case as an extension of *Alquahwagi v. Shelby Enterprises, Inc.*, No. 11-14826.

IT IS FURTHER ORDERED that Plaintiff may file an amended complaint no later than **April 10, 2015**.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 31, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 31, 2015, by electronic and/or ordinary mail.

s/Holly Monda for Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522